



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,935	12/12/2003	Michel S. Simpson	26530.92	2224
27683 7590 03/27/2008 HAYNES AND BOONE, LLP 901 Main Street Suite 3100 Dallas, TX 75202				
EXAMINER LEMMMA, SAMSON B				
ART UNIT 2132		PAPER NUMBER		
MAIL DATE 03/27/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/734,935

**Applicant(s)**

SIMPSON ET AL.

**Examiner**

Samson B. Lemma

**Art Unit**

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 4-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_\_

### ***DETAILED ACTION***

1. This office action is in reply to an amendment filed on January 07, 2008.  
All independent claims, namely claims 1, 11 and 21 are amended.  
Claims 2 and 3 are canceled. Thus claims **1, 4-21** are  
pending/examined.

### ***Priority***

2. This application does not claim priority. Therefore, the effective  
filing data for the subject matter defined in the pending claims of  
this application is **12/12/2003**.

### ***Response to Argument***

3. Applicant's remark/arguments filed on January 07, 2008 have  
been fully considered but are moot in view of the new ground(s) of  
rejection.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the  
basis for all obviousness rejections set forth in this Office action:  
  
(a) A patent may not be obtained though the invention is not identically  
disclosed or described as set forth in section 102 of this title, if the  
differences between the subject matter sought to be patented and the  
prior art are such that the subject matter as a whole would have been  
obvious at the time the invention was made to a person having ordinary  
skill in the art to which said subject matter pertains. Patentability shall  
not be negated by the manner in which the invention was made.

5. **Claims 1, 4-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Stephen R. Carter** (hereinafter referred as **Carter**)(U.S. Patent No. 5,787,175) (Date of patent 28, 1998), in view of **Rider** (hereinafter referred to as **Rider**) (U.S. Patent Publication 2006/0173999 A1) (filed on 08/07/2003, claims priority of a provisional application filed on 08/07/2002)
6. **As per independent claims 1, 11 and 21 Carter discloses a method for controlling access to a document, [Abstract] comprising:**
- **Determining an access right for a user; (Column 12, lines 56-63; column 15, lines 62-67; abstract and column 8, lines 27-29) (Access Control Methods FIGS. 4-9 illustrate one method according to the present invention for controlling collaborative access to the work group document 90. In particular, the method includes computer-implemented steps for collaboratively encrypting the document 90 (FIG. 6) and steps for restricting access to the data portion 94 of the collaboratively encrypted document (FIG. 9)).**
  - **Building a member definition using the access right and associating the member definition with the user; [Figure 6, ref. Num "118"] ("Build member definition for each group member") and**

- **Linking the member definition to a portion of a document.** [Figure 6, ref. Num "120"] ("Link member definition(s) with document.")

**Carter** does not explicitly disclose

linking the member definition to a first data portion of a document, wherein the document has the first data portion and a second data portion,

receiving a request from the user to access the document;

comparing the request with the access right; and allowing access to only the first data portion in accordance with the access right

However, in the same field of endeavor, **Rider** discloses,

**Linking the member definition to a first data portion of a document, wherein the document has the first data portion and a second data portion,** [paragraph 0044, figure 4A & 0034-0035] *(As shown, document 400 includes descriptor portion 402 and data portion 404. Descriptor portion 402 can include basic information about the device and its operation whereas data portion 404 can include actual data, which can be employed by specific applications. Portion 406 is a portion of data 404 that has its access governed in accordance with the principles of tier two security as described herein. That is, **one or more access rights can be associated with portion 406.** Although one portion 406 is shown,*

*an ordinarily skilled artisan will appreciate that the same or other access rights can govern other portions of data portion 404.)*

**Receiving a request from the user to access the document;  
comparing the request with the access right; and allowing  
access to only the first data portion in accordance with the  
access right** [Paragraph 0034-0035 paragraph 0044, figure 4A]

*(On paragraph 0034, the following has been disclose. Moreover, security manager 170 can permit, restrict or completely deny a user request to access one or more documents as well as the contents of those documents. A document or a portion thereof can represent a command for, or a configuration of, one of devices 135 such as a router or switch. Security manager 170 governs by determining whether a particular user has access rights to a specific network resource, a particular document or only a portion of a document. Furthermore on paragraph 0035, the following has been disclosed. "By restricting access in relation to a document's content, a more fine-grained approach to configuring, managing and monitoring network resources is realized. Hence, tier two security restricts a user to data constituting a portion of an entire document rather than providing complete or no access to that document. For example, FIG. 4A depicts document portion 406 that is accessible. Note that other portions of document 400 are not necessarily accessible to that user.")*

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to combine the feature such as linking the member definition to a first data portion of a document, wherein the document has the first data portion and a second data portion and receiving a request from the user to access the document; comparing the request with the access right; and allowing access to only the first data portion in accordance with the access right as per teachings of **Rider** into the method as taught by **Carter**, in order to provide a more fine-grained access control to the resources (portions of documents) [*See For instance Rider on paragraph 0035*]

7. **As per claim 4 the combination of Carter and Rider discloses a method as applied to claims above. Furthermore, Carter discloses the method, further comprising adding a new user to the document.** [*Figure 7, column 7, lines 3-5*] (“adding a new member”)
8. **As per claim 5 the combination of Carter and Rider discloses a method as applied to claims above. Furthermore, Carter discloses the method, further comprising removing a member from the document.** [*Figure 8, column 7, lines 5-7*] (“removing a member”)
9. **As per claims 6 and 15 the combination of Carter and Rider discloses a method as applied to claims above. Furthermore,**

**Carter discloses the method further comprising: storing the member definition remotely from the document.** [column 14, lines 35-38]

10. **As per claims 7 and 16 the combination of Carter and Rider** discloses a method as applied to claims above. Furthermore, **Carter discloses the method further comprising: storing the member definition in the document.** [Column 14, lines 31-34] (*"In one embodiment, linking is accomplished by storing the encrypted data portion 94 and the prefix portion 92 (including one or more member definitions 96) together in a file on a disk, tape, or other conventional storage medium."*)
11. **As per claim 8 the combination of Carter and Rider** discloses a method as applied to claims above. Furthermore, Carter discloses the method further comprising: further comprising: **encrypting the document; and linking the member definition with a public key and a private key.**[column 11, lines 61- column 12, lines 7]
12. **As per claims 9-10 and 12-13 the combination of Carter and Rider** discloses a method as applied to claims above. Furthermore, Rider discloses the method, further comprising: determining a second access right for the user; building a second member definition using the second access right; and linking the second

member definition to a second portion of a document[Paragraph 0034-0035 paragraph 0044, figure 4A]

- 13. As per claim 14 the combination of Carter and Rider discloses a method as applied to claims above. Furthermore, Carter discloses the method wherein the first member definition contains a digital signature. [Abstract and figure 10, ref. Num "184"]**
- 14. As per claims 17-20 the combination of Carter and Rider discloses a method as applied to claims above. Furthermore, Carter discloses the method wherein the document is tagged document/XML document/text document/binary document. [Column 9, lines 32-61]**

### ***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.(See PTO-Form 892). Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4:30 pm).
- If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571 -873-8300.
- Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.

Art Unit: 2132

Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Samson B Lemma/  
Examiner, Art Unit 2132  
03/05/2008

/Gilberto Barron Jr/  
Supervisory Patent Examiner, Art Unit 2132